

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

GREATER ENTERPRISES, LLC,

Plaintiff,

vs.

SELECT MARKETING GROUP, LLC,

Defendant.

Case No. 2:12-cv-00221-GMN-PAL

**ORDER**

The court conducted a hearing on the parties' Stipulation and Proposed Order to Extend the Discovery Plan and Scheduling Order Deadlines (Dkt. #47) on November 27, 2012. James Boyle and Kimberly Cooper appeared on behalf of the Plaintiff, and Robert Nersesian appeared telephonically on behalf of the Defendant.

The parties request a 90-day extension of the discovery plan and scheduling order deadlines to complete depositions of the parties and percipient witnesses involved in the underlying litigation, potential additional written discovery requests to parties and non-parties, and potential expert disclosures and depositions. The additional time is requested because there are four pending potentially dispositive motions under submission, and the parties have been engaged in settlement negotiations. During the hearing Mr. Boyle indicated that a settlement proposal and counter proposal had been exchanged. Counsel for Defendant had given permission for counsel for Plaintiff to discuss settlement directly with his client. Both sides are optimistic that the matter can be resolved within the next thirty days, and neither side wish to engage in further expensive discovery while settlement discussions were ongoing.

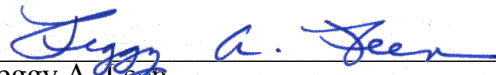
Both sides requested a thirty-day stay of discovery to determine whether this matter is capable of resolution. The court advised counsel that a thirty-day stay would be approved, however, that if the

1 matter had not been resolved, the parties would be required to submit a comprehensive stipulation and  
2 proposed order to extend the discovery plan and scheduling order deadlines which complies with LR  
3 26-4 and states with specificity exactly what additional discovery is required to prepare this case for  
4 trial.

5 **IT IS ORDERED** that:

- 6 1. The parties' proposed Stipulation and Proposed Order to Extend the Discovery Plan and  
7 Scheduling Order Deadlines (Djkt. #47) is **NOT APPROVED** and is **DENIED**.
- 8 2. A thirty-day stay of discovery is imposed to allow the parties to complete settlement  
9 negotiations.
- 10 3. A status and scheduling conference is set for **January 17, 2013, at 1:45 p.m., in**  
11 **Courtroom 3B**. The hearing will be automatically vacated if the parties submit a  
12 stipulation to dismiss with prejudice. If the parties have been unable to resolve the  
13 matter within the thirty-day stay, counsel shall have until January 15, 2013, at 4:00 p.m.,  
14 to submit a detailed proposed plan for completing discovery required to prepare this case  
15 for trial.

16 Dated this 28<sup>th</sup> day of November, 2012.

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19 Peggy A. Lech  
20 United States Magistrate Judge  
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